OIPE MP77
NOV 14 2005
PATENT & TRADEMARK OFFICE

Docket No. CRD5044USNP0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Juan A. Lorenzo, et al.

Serial No. : 10/820,967 Art Unit: 3731

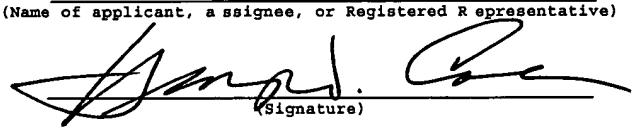
Filed : April 8, 2004 Examiner: To Be Assigned

For : Activatable Bioactive
Vascular Occlusive Device

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 8, 2005
(Date of Deposit)

Henry W. Collins
(Name of applicant, assignee, or Registered Representative)


(Signature)

November 8, 2005
(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on August 3, 2004.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of $180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of $180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of $180.00 as set forth in §1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

☐ There are no listed references which are not in the English language.

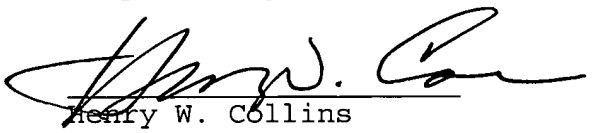
☒ The relevance of those listed references which are not in the English language is as follows: The English Language translation abstract of German patent application DE 196 47 280 A1 is attached.

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD5044USNP0/HWC. This form is submitted in triplicate.

Respectfully submitted,



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Attorney for Applicants

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DATED: November 8, 2005

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PTO/SB/08A (08-00)
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1of 1

Application Number	10/820,967
Filing Date	April 8, 2004
First Named Inventor	Juan A. Lorenzo, et al.
Group Art Unit	3731
Examiner Name	To be Assigned
Attorney Docket Number	CRD5044USNP0

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.[1]	U.S. Patent Document Number (if known)	Kind Code[2]	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		2002/143348	A1	Wallace et al.	10-03-2002	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.[1]	Foreign Patent Document Office[3]	Number[4]	KindCode[5]	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T[6]
		DE	196 47 280	A1		10-03-2002		

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS,SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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SUBMISSION UNDER MPEP 609 D

Application Number	10/820,967
Filing Date	April 8, 2004
First Named Inventor	Juan a. Lorenzo, et al.
Group Art Unit	3731
Examiner Name	Not Assigned
Attorney Docket Number	CRD5044USNP0

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.[1]	Name of Patentee or Applicant of Cited Document	U.S. Patent Document Number	Kind Code[2] (if known)	Pages, Columns, Lines, where relevant passages or relevant figures appear

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Examiner Initials	Cite No.[1]	Name of Patentee or Applicant of Cited Document	Foreign Patent Document Office[3]	Number[4]	KindCode[5]	Pages, Columns, Lines, where relevant passages or relevant figures appear	T[6]

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
		European Search Report dated February 10, 2005 for corresponding Appln. No. EP 04 25 7860	
		With Annex	

Examiner Signature		Date Considered	